

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 17-0437 (DSD/KMM)

Tony Terrell Robinson,

Plaintiff,

v.

ORDER

Minnesota, State of et al.,

Defendants.

The above matter is before the court upon the July 22, 2020, report and recommendation (R&R) of United States Magistrate Judge Katherine M. Menendez. The court previously granted two requests by plaintiff Tony Terrell Robinson to extend the deadline by which Robinson must file objections to the R&R. See ECF No. 358 (granting request for thirty-day extension); ECF No. 360 (granting request for forty-day extension).

Robinson has moved for a third extension of sixty days, which the court now denies. Parties typically have two weeks after an R&R is issued to file objections. D. Minn. L.R. 72.2(b). This R&R has been pending since July 22, 2020, nearly four months. Although the court is sympathetic to Robinson's circumstances, the court is not convinced that another extension will help.

Because no objections have been filed within the timeline previously set, the court now considers whether to adopt the R&R. The court has carefully reviewed the parties' briefing and evidence regarding each of the pending motions. Based on this review of the file, record, and proceedings herein, the court determines that the R&R is well-reasoned and correct.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The motion for an extension to file objections to the R&R [ECF No. 361] is denied;
2. The R&R [ECF No. 356] is adopted in its entirety;
3. The motions for summary judgment by defendants Ranjiv Saini, Stephen Dannewitz, Jeanne Luck, and Centurion of Minnesota, LLC [ECF Nos. 219, 242, 252] are granted;
4. The motions to deny summary judgment as premature [ECF Nos. 268, 273] are denied;
5. The remaining motions to stay expert discovery [ECF No. 283], to appoint expert [ECF No. 297], to have subpoenas served [ECF No. 319], and to join motion to stay expert discovery [ECF No. 341] are denied as moot;
6. Defendant Advanced Medical Imaging, Inc. is dismissed;¹ and

¹ Although not involved in any of the motions for summary judgment, it is appropriate to dismiss Advanced Medical Imaging, Inc. (AMI) at this time. Notably, Robinson's attempts to properly serve a summons on or seek a waiver of service from AMI

7. This action is dismissed.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 16, 2020

/s David S. Doty

David S. Doty, Judge

United States District Court

all failed. See ECF Nos. 31, 91, 131. Because AMI was not properly served within the time allowed by Fed. R. Civ. P. 4(m), the court now dismisses AMI. Further, Robinson's claims against AMI rest on the same factual and legal arguments made against defendants Saini, Dannewitz, Luck, and Centurion of Minnesota. See generally 2d Am. Compl., ECF No. 197. Because the court determines that summary judgment is properly granted to those defendants, Robinson's claims against AMI must also fail.